

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

COLBY GOROG, JOSHUA FLINT,  
LOUIS ROBINSON, and MICHAEL LERRO,  
individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

ELON MUSK and TESLA, INC.,

Defendants.

**Civil Action No.: 1:22-cv-05037-AKH**

**PLAINTIFFS' MOTION TO  
DISQUALIFY AND SANCTION  
DEFENSE COUNSEL**

*Submitted By:*

EVAN SPENCER LAW, PLLC  
Evan Spencer, Esq.  
305 Broadway, 7th Floor  
New York, NY 10007  
(917) 547-4665  
Evan@EvanSpencerLaw.com  
EvanSpencerLaw.com

*Attorney for Plaintiffs and the Class*

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that on July 10, 2023, or as soon thereafter as the matter may be heard before the Honorable Alvin K. Hellerstein, United States District Judge, in Courtroom 14D, of the Daniel Patrick Moynihan Federal District Courthouse located at 500 Pearl Street, New York, NY 10007-1312, Plaintiffs Colby Gorog, Joshua Flint, Louis Robinson, and Michael Lerro (“Plaintiffs”) will and do hereby move this Court for an order disqualifying and monetarily sanctioning the law firm of Quinn Emanuel Urquhart & Sullivan LLP, including defense counsel Alex Spiro, Sarah Concannon, Brenna Nelinson, and Tesla’s counsel Allison Huebert.

This motion is made pursuant to the Court’s inherent authority to impose sanctions on attorneys appearing before it, and pursuant to 28 U.S.C. § 1927, and the New York Rules of Professional Conduct, based upon conflicts of interest and attorney misconduct as set forth in Plaintiffs’ attached memorandum in support.

DATED: June 25, 2023

By: /s/ Evan Spencer  
Evan Spencer Law, PLLC  
305 Broadway, 7th Floor  
New York, NY 10007  
Tel. 917.547.4665  
Evan@EvanSpencerLaw.com

*Attorney for Plaintiffs and the Class*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 25<sup>th</sup> of June 2023, a true and correct copy of the above and foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system, giving notice to all parties in this action.

/s/Evan Spencer  
Evan Spencer